

REMARKS/ARGUMENTS

Claims 11-15, 18 and 19 are pending in the application. Applicants have amended claims 11, 15, 18 and 19. Applicants respectfully request reconsideration and allowance of the claims.

The claims stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner first states that it is unclear how the source of fluid could be configured as claimed. In response, Applicants submit that the Examiner's assumption is correct that the "source of fluid" meant the filtrate. Applicants have amended the claims accordingly. The Examiner also regards unclear how "the first and second transverse filtrate channels form acute angles that come together to provide a structural arrangement with an upper surface of the end plate". Applicants submit that this phrase meant to describe the channels 351 and 353 ending up in outlet 356 in Figure 9. Applicants submit that the 35 U.S.C. §112, second paragraph, rejections should now be withdrawn.

The claims are rejected under 35 U.S.C. §103(a) as being obvious in view of Latour and/or Friedman. Applicants respectfully disagree.

Applicants first submit that the claims have been amended. The "end plate" is now modified to be "upstanding end plate" (see paragraph [0025] of the published US application).

Applicants submit that Friedman describes a horizontal cassette clamped between a horizontal top plate and a horizontal bottom plate, with retentate and feed

channels in the bottom plate. The plates depicted in Figures 4, 6 and 7 have mainly horizontal retentate and filtrate channels. The connections between the retentate channels in the cassette and the main retentate channels in the plates are vertical, while the connections between the filtrate channels in the cassette and the main filtrate channels in the plates are acutely angled. The reason for this acute angle appears to be a spatial constraint - the retentate and filtrate channels in the cassette are all aligned in a single line and to allow for having the plate retentate and filtrate channels spatially separated, an acute angle is a necessity (col 6, lines 2-5 “This embodiment further enhances the ability to separate the filtrate channels 86 and 87 from the feed and retentate channels 82 and 84 in a single end plate 81”). There are however plenty of horizontal channel surfaces present that will prevent complete draining of the plates and cause potential sanitation issues.

Latour describes two vertical cassettes clamped between three vertical plates, with retentate and feed channels in the center plate. Again, there are horizontal channel surfaces in the center plate that will prevent complete draining.

In comparison, the filtration housing of the current invention overcomes these problems. In particular, the claimed design ensures that “there will be no horizontal surfaces internal to the housing on which fluid may collect after use” (see paragraph [0011]). Thus, Applicants submit that the claims are not rendered obvious by either Latour or Friedman.

Applicants respectfully assert that the claims are in allowable form and earnestly solicit the allowance of the claims 11-15, 18 and 19.

Appl. No. 10/531,786
Amendment dated July 6, 2009
Reply to Office action of April 8, 2009

Early and favorable consideration is respectfully requested.

Respectfully submitted,

GE Healthcare Bio-Sciences Corp.

By: /Yonggang Ji/
Yonggang Ji
Reg. No.: 53,073
Agent for Applicants

GE Healthcare Bio-Sciences Corp.
800 Centennial Avenue
P. O. Box 1327
Piscataway, New Jersey 08855-1327

Tel: (732) 980-2875
Fax: (732) 457-8463

I hereby certify that this correspondence is being uploaded to the United States Patent and Trademark Office using the Electronic Filing System on July 6, 2009.

Signature: /Melissa Leck/

Name: Melissa Leck